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August 21, 2023

Via ECF

Hon Judge Philip M. Halpern
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Room 1950
New York, NY 10007

Application granted. The Court will separately
docket the so-ordered stipulation. Accordingly,
the 9/5/2023 conference is hereby cancelled.

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: White Plains, New York
August 21, 2023

Re: *Kristin Stein v. Town of Greenburgh*, et al. 21-cv-05673 (PMH)
File No: 11174.00005

Dear Judge Halpern:

We represent Defendants the Town of Greenburgh (the “Town”), former Greenburgh Police Chiefs Christopher McNerney and Brian Ryan, current Greenburgh Police Chief Kobie Powell, and Captain Frank Farina. We submit this letter jointly with non-party County of Westchester in regards to the Town’s subpoena to Westchester County Department of Public Safety for records related to Plaintiff Kristin Stein. The County previously submitted a letter requesting a pre-motion conference regarding the subpoena. *See* DE #112 (County’s Pre-motion letter). The Town filed a response to the County’s pre-motion letter, DE #113, and this Court scheduled a pre-motion conference for September 5, 2023, DE #114.

Upon further discussion, the Town and the County have agreed to the enclosed proposed So-Ordered Stipulation that would resolve the County’s concerns regarding the subpoenaed records. This proposed order would obviate the need for the pre-motion conference on September

5, 2023. All parties have signed the proposed So-Ordered Stipulation. Accordingly, we request that the Court enter the So-Ordered Stipulation and cancel the September 5, 2023 Conference.

Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

/s/ Eliza M. Scheibel

Eliza M. Scheibel

Encl.

cc:

Counsel of Record (via ECF)

Loren Zeitler (via email to LXZC@westchestercountyny.gov)